1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

excitement among possible deputies, and convulsed the diwans of the three provincial capitals. The visits of C.U.P. committee men from Istanbul to the 'Iraq cities were received with an initial enthusiasm which was soon stifled by the inept bad manners of the visitors and the frowns of the reactionary element already mobilizing its forces. Deputies duly elected[1] left Istanbul, and a public holiday marked the assembly of Parliament in December 1908, followed four months later by another for the accession of Muḥammad V.

With the departure of leading 'Iraqis to Istanbul to try their hand at politics and to influence 'Iraq affairs, if they could, through the higher appointments, a new element entered 'Iraq life. At Istanbul the 'Iraqi deputies with the Syrian formed, from the first, a compact group in the Chamber as well as participating in a literary club—al-Muntadā al-Adabi—more political than cultural; and, returning to 'Iraq for recess, they spread ideas long strange to the territory. Some leading families, indeed, scornfully opposed these vulgar dangerous innovations and regretted their paternal Sultan; tribal shaykhs, disappointed of their naïve first hopes that 'freedom' would mean non-government, clamoured for separate seats in Parliament. The minorities first hoped for equality and progress, then learned that conscription and full Ottomanization were all their gains. All alike could threaten senior officials with 'political' reprisals, take a hand at electioneering, form political clubs, and flirt with the Liberal Party which after 1911 challenged the C.U.P. But on the whole the latter, in the 'Iraq of 1908 to 1914, dominated political circles, survived periods of secession and reaction, and alone maintained a country-wide organization. And when, as in Baṣra, it was strongly opposed, such opposition arose less from the Liberals than from the greater seduction of other ideas which were now coming into full expression in 'Iraq: those of Arab nationalism.

The emergence of such a nationalist movement was as inevitable as that of reform in Turkey itself. The sense of anachronism and frustration was common to the protagonists of both; and the Arab character, proud and individualistic, is incapable of admitting permanent inferiority. The emancipation of the subject races in Europe was increasingly known to them. The Young Turk attitude to religion and the Caliph destroyed almost the only bond between Arabs and the Ottoman Government. The attainment of high office by 'Iraqis in southern 'Iraq, rumours of political life in

[1] The first Members for Baghdad in the Turkish Chamber were: Muḥammad Bey (an Istanbuli): Tawfiq Bey al-Khalidi (p. 140): Murad Bey: Fu'ad Bey al-Daftari, and Jamil al-Zahawi the poet (both members of leading Baghdad families): and the Jew Sasun Ḥasqayl (p. 127).

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

Ministries; Sasun Ḥasqayl was omitted for the first time. A State visit by the King to Karbalā and Najf in December was an outstanding success. The substitution in March 1924 of the name of King Ḥusayn, newly self-styled Caliph, for that of the Sultan of Turkey in the Khuṭba when the Ottoman Caliphate was abolished, raised the prestige of the royal family, and was accepted with surprising willingness by Sunni and Shi'i alike.

The Constituent Assembly was opened with due ceremonial by the King on 27 March 1924. Under the presidency of 'Abd al-Muḥsin Bey it proceeded to its first task, ratification of the Anglo-'Iraq Treaty and its Protocol. A favourable majority seemed assured, and initially was in fact present; but the atmosphere quickly changed. The 'severity' of some of the Treaty conditions, notably those of the Financial Agreement, was emphasized by Opposition orators, and the whole force of anti-Mandate sentiment was rapidly remobilized. Kurdish deputies for their own reasons withdrew from the proceedings; those of Mosul could think of nothing but the danger threatening their wilaya. The tribal shaykhs, moving in a world wholly strange to them, saw and seized the chance of bargaining their support on the Treaty issue for personal or tribal advantages. The nationalist lawyer-politicians, who soon emerged as the most convinced and active element in the Assembly, launched a campaign first of insistence upon major or indeed basic changes in the Treaty, then of vicious intimidation, and finally of actual violence; two pro-Treaty deputies were severely wounded in the streets, others threatened with death. Deliberately fostered terrorism outside the Assembly building itself reached proportions beyond police control, and necessitated the presence of troops to maintain order.

The constant efforts of the High Commissioner were devoted, with little success, to exposition of the basic nature of the Treaty and the facts of 'Iraq's situation. He pointed out Great Britain's accepted obligations to the League, and gave assurances of later modification of the Treaty in 'Iraq's favour. A score of interviews between the High Commissioner, the King, the Prime Minister, ministers, Cornwallis, Yasin Pasha, and Opposition leaders produced no formula which could reconcile the 'Waṭanis' to ratification. Dobbs announced finally that 'Iraqi rejection of the Treaty, such as now appeared inevitable, must with all regret be reported to the League Council at its forthcoming meeting, unless ratification had occurred by 10 June; after that date Great Britain must seek means other than a friendly and generous Treaty to fulfil its mandatory functions. From this and from his refusal to bargain or to consider amendments Sir Henry was immovable. Like every preceding day, 10 June was filled with conclaves, submissions,

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

652 recommended higher Customs-duty rates. A large part of its suggestions, especially as regards new taxation and reorganization, was not adopted. The 'Iraq Government was destined, indeed, to remain solvent but impecunious for years to come. The country was visited in the same period by Cabinet Ministers from England, Mr. L. S. Amery and Sir Samuel Hoare.

*645 The Hashimi Ministry, the last to govern without a Parliament, served with valuable results for a year. Among other measures it legislated for the Fao bar-dredging scheme, the 1925 oil concessions, a trade agreement with Syria, and the regularization of the position of British officials. Promulgation of the Organic Law was postponed from July 1924 to March 1925, to permit the preparation of election rolls, a lengthy and difficult task, and the liquidation of the Mosul Question before the new régime, awaited as a great stride forward from mere Cabinet government, was attempted. Preparations for the assembly of Parliament in Extraordinary Session (since an Ordinary Session could open only in November) were completed by late June 1925, and a change of Ministry due to differences between Yasin Pasha and his Minister of Interior, 'Abd :'-Muḥsin al-Sa'dun, gave to a new Government the task of inaugurating the parliamentary régime.

The premiership was entrusted to 'Abd al-Muḥsin. His Ministry included Rashid 'Āli al-Gaylani, the shrewd cosmopolitan lawyer Ra'uf al-Chadirchi for a short period, Ṣubiḥ Nasha't, the worthy Shi'i 'Abd al-Ḥusayn al-Chalabi, Naji al-Suwaydi, Ḥikmat Sulayman (younger brother of the Turkish General Maḥmud Shawkat Pasha), the keen nationalist Ḥamdi al-Pachachi, and by later substitution Nuri Sa'id and the Kurdish artillery officer and writer, Muḥammad Amin Zaki. The elections completed, and the twenty senators duly appointed by the King, Parliament was opened with ceremony on 16 July 1925. The selection of Rashid 'Āli al-Gaylani as President of the Chamber brought Ḥikmat Sulayman to his place in Interior. The veteran nationalist Yusif al-Suwaydi, father of Naji and Tawfiq, became President of the Senate.

646 Parliamentary government, in the procedures of which the British had no part, began creditably. The standard of debate was respectable, the Opposition, headed by Yasin Pasha, not immoderate. The life of Parliament in this its first session was twice prolonged, and lasted until June 1926. It dealt with a heavy programme of legislation, including a first amendment to the Organic Law designed to provide for a possible Regency and for extraordinary sittings. The budget was adopted and passed. An altercation in the Chamber led to the retirement from the Presidency of Rashid 'Āli, to be succeeded by Ḥikmat Sulayman. The latter's place in Interior was taken by the Mutaṣarrif of Mosul, the

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

wise and moderate 'Abd al-'Aziz al-Qaṣṣab. By the summer of 646
1926 the routine of parliamentary procedure was established; but it was already clear that the backwardness of the electorate, and the freely used power of the Government to secure the election of deputies of its own choice, could not but preclude any early possibility of genuine democracy.

The Administration, on lines half inherited from the Turks and 645x
half established by the British, had well begun. With many short- 631
comings and omissions it operated already more widely and more 647
effectively than had any Turkish Government, and aimed at a superior standard of service. In Baghdad the departments under each Ministry improved their organization, sifted their staffs, advanced towards complete 'Iraqi control. By 1926 not only were all Ministries in effective 'Iraqi control but most of the larger departments had been handed to 'Iraqi directors, notably those of Health, Education, Agriculture, Posts and Telegraphs, Government Accounts, Police, Prisons, the Census; those of Irrigation, Tapu, Customs, Revenue and State Domains, Veterinary services, Public Works, the Port of Baṣra, and 'Iraq Railways remained for a further period under British executive control. In the provinces, new qadhās and nahiyas were formed or regrouped. The position of the British 'Administrative Inspectorate' was satisfactorily defined by law. A Standing Board selected 'Iraqi officials for higher posts, and the formation of a regulated civil service on modern lines was taken in hand. The Ministry of Finance, where R. V. Vernon assumed the Advisership in 1925 after an interregnum under L. M. Swan, had developed and specialized its organization, reduced its non-'Iraqi staff to a minimum, and founded a Finance Inspectorate. The post of Auditor-General, reporting to the Cabinet direct, was created in 1924 and held by J. Parlby, who had worked in 'Iraqi finances since 1917. The Advisership of Communications and Works was held by Wheatley until the arrival of L. E. Bury in 1925, and again after the latter's departure three years later. In Interior, Cornwallis was assisted by a senior member of his Administrative Inspectorate—Pulley, Wilson, or Edmonds—and by one or more juniors.

The Courts offered justice and accessibility to an extent far 692
superior to that of alien and corrupt Ottoman tribunals; during these years both civil and criminal courts multiplied at liwā and qadhā headquarters as need declared itself, and the statistics of cases heard showed an increasing recourse to law. Civil jurisdiction lay with the Peace Courts of the Qadhis—who after 1923 included Shi'i Qadhis—and junior judges, the Courts of First Instance at three or four liwā headquarters, and a single Court of Appeal and Cassation, with a British President, at Baghdad. This President

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

economy by the world crisis of 1929–31, nor halt the steady diminution of the important Persian transit trade; still less did they correct those unfavourable, indeed menacing, features of 'Iraq public life which were already apparent, and were henceforth to be prevalent: short-lived Cabinets of warring personalities, futile and ephemeral parties, manipulated elections, and unrepresentative Parliaments obedient to (because chosen by) the Government of the moment.

The 'Iraq Parliament in its first ordinary session had, indeed, all the appearance of a sober and reasonable body. It dealt with nearly seventy bills, and carried out its procedure with correctness. The second session, opened on 1 November 1926, was less fortunate. Political and personal faction grew more bitter. Naji al-Suwaydi's 'People's Party', founded in August 1924, was still active, though it ceased to exist in 1927; that of National Independence, the creation of a Mosul notable, 'Abdullah al-'Umari, had already died in 1925. 'Abd al-Muhsin Bey's Progressives, founded in 1925, were dominant in moderate circles until his death, and the Popular Party (Ḥizb al-Sha'b) of Yasin Pasha flourished from late in 1925 until 1928. The Nationalist Party of Ja'far Abu al-Timman, suppressed almost at birth in 1922, revived in 1926 and continued vigorous until 1933. These, to which the Party of Awakening—Ḥizb al-Nahḍha—was shortly to be added in its revived form, did nothing to tranquillize the political scene.

The second Sa'dun Ministry fell on the first day of the new Parliament, when its candidate for the Presidency of the Chamber was defeated. Ja'far Pasha al-'Askari, then 'Iraqi Minister in London and a Progressive, was summoned home and three weeks later, on 21 November, formed a Coalition Ministry which included Yasin Pasha at Finance, Rashid 'Ali Gaylani at Interior, Ra'uf al-Chadirchi in Justice, General Nuri Sa'id in Defence, the Basra aristocrat Amin 'Ali Basha'yan at Awqaf, Muhammad Amin Zaki in Communications and Works, and two Shi'is, Sayid 'Abd al-Mahdi and 'Abd al-Ḥusayn al-Chalabi, at Education and the new Ministry of Irrigation and Agriculture created in August 1927. This second and last ministry of Ja'far Pasha covered the year 1927. It was marked by useful legislative work, but constantly endangered by the ill discipline of the parties both in their internal factions and as between their heads and the Cabinet to which, with too little loyalty, they belonged.

The year had three features of especial political interest. The first of these was a revival, not unannounced by previous indications, of the Shi'i element as a political force. With the removal of Turkish discouragements to Shi'i emergence, and of their obscurantist leadership by the 'Ulamā whose highest effectiveness had

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

and the fullest activity of their press articles, hand-bills, and oratory, did not hesitate to invoke the authority of the Shi'i Mujtahids in condemnation of the new Treaty. These, however, declined for once to intervene, except partially at Samarrā, and the elections were peacefully conducted in the districts; only at Sulaymaniya a major clash between violent demonstrators and the police resulted in bloodshed and the loss of a score of lives. All results were known by the end of October 1930, and showed a sweeping victory of the Government party. The ratification of the Treaty by Parliament, which met as usual on 1 November, could not now be prevented by the fierce denunciations of die-hard patriots; the voting was in favour by 69 against 13 in the Chamber, 11 against 5 in the Senate.

But much remained to be done, both in Baghdad and in Geneva. Parliament sat on, immersed in legislation and in vehement politics, until the midsummer of 1931. The opposition to the Sa'idi Ministry had by that time been reorganized in a grouping more formidable than the isolated Nationalist Party which, thanks to the usual control exercised by the liwā officials, had made so poor a showing in the elections. Political leaders hostile to Nuri and, with reservations, to the Treaty—Yasin al-Hashimi, Naji al-Suwaydi, Rāshid 'Ali al-Gaylani, and 'Ali Jawdat who had resigned from the Cabinet in September and been succeeded by Rustum Haydar from the Palace—formed from the Nationalist and the People's Parties and like-thinking elements a Party of National Brotherhood—Hizb al-Ikhā al-Waṭani. At its inaugural meeting in March 1931 its objects were stated to include the dissolution of a flagrantly unrepresentative Parliament and the formation of a new Government 'pledged to reconsider the external relations of 'Iraq'. Certain of its members as a gesture thought fit to resign their seats in the Chamber; all resolved to pursue their campaign in the press and country. Nuri Pasha on his side had already formed, from deputies favourable to him, the 'Ahd (Covenant) Party, with an appeal to the great days of al-'Ahd and a programme of Treaty implementation.

Among the first acts of the Ikhā was the organization in July 1931 of a series of strikes in the 'Iraq townships without precedent for their concerted timing and wide extent. They had little object but the embarrassment of Government. The trades' organizations in the bazaars took fright—or were maliciously alarmed—at a clause in the newly passed Municipal Taxation Law which could be read as unfavourable to them. The misunderstanding, which was easily elucidated by Government, was encouraged to persist, and it was not until late in July, after attempts had been made to spread unrest to northern 'Iraq, and disorder in Baṣra and the

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

642 therefore, nor to any Western observer did it occur in 1920 not to install the forms of government both familiar at home and seemingly demanded in 'Iraq. Nevertheless, this most exacting of constitutional forms was now seen to be acclimatizing itself in 'Iraq with difficulty and with mixed immediate results. If it is true that the virtues of the system are everywhere appreciated, and no better alternative has been discovered by the modern world, yet, to be in fact representative and democratic, it demands certain conditions.
181 Did these exist in 'Iraq? There was, certainly, a long Arab tradi-
665 tion of tribesmen's democracy and easy access to rulers. Free
204 speech, a vigorous and copious press, busy parties, 'demonstrations' in every street and school: all these could be claimed as democratic features of Baghdad life. But with what truth? The press was ill informed, irresponsible, rabidly partisan, crudely xenophobe. The demonstrations were organized, easily and cheaply, at any politician's direction. The parties were, so far, mere cliques of personalities, without continuity or breadth of organization or any consistent policy unless that of mere Anglophobia. Freedom of speech was allowed to extreme, rarely to moderate, views; violence or boycott awaited the exponent of any policy, however wise or sincere, if it seemed to fail in nationalist fervour. It was indeed doubtful whether one educated 'Iraqi in a hundred conceived society on truly democratic lines or, given power, would have wished so to organize it. Their nature was individualistic and insubordinate, their tradition authoritarian, and the conditions in
646 their society inimical to democracy. The representatives in the
666 Chamber itself were in fact selected less by the votes of an instructed electorate, which did not exist, than by the nomination of the Cabinet in power; the list conveyed to the Mutasarrifs as that of Government-sponsored candidates was, with infrequent exceptions, that of the Deputies.

642 It resulted that in 1932 the Government of 'Iraq consisted of
662 a façade of democratic forms behind which, emerging from the stresses, strains, and violences of faction and egoism, operated the actual power of a small ruling class: a class which contained on the one hand more than enough figures capable of filling the ministerial posts available, but on the other too little variety of viewpoint to compete for power by the advocacy of genuinely alternative programmes. The result was an uneasy shuffle of offices, short-lived Cabinets with a brief innings for everybody, and the fortunes of Ministries dependent not on the attitude of representative Deputies capable of a gesture of dismissal, but on personal faction behind their backs. It was already clear that if ever the only authoritative hand not involved in these uneasy intrigues should be removed—that of the King—there would be opportunity, or almost inevita-

lr Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

passage of a law authorizing conscription, at long last, was received with seeming indifference.

Late in August Madfa'i offered his resignation. The Chief of the Royal Diwan, 'Ali Jawdat, whose favourable position to influence the King and to arrange suitable alliances had not been neglected, himself accepted the premiership and the Ministry of the Interior on 28 August. His place in the Palace was taken by Rustum Ḥaydar. Nuri Sa'id re-entered the Cabinet in the Ministry of Foreign Affairs, and Madfa'i in that of Defence. To the Ministry of Works came Arshad al-'Umari, a Turkish-trained civil engineer of the famous Mosul family, to Finance the Christian economist, Yusif Ghanima, and to Education 'Abd al-Ḥusayn al-Chalabi.

The first act of 'Ali Jawdat was to dissolve Parliament—a step doubtfully constitutional and condemned by the Ikhā, but necessary to secure parliamentary support. He went to lengths unusual even in 'Iraq, it was claimed by his opponents, in instructing the liwā officials on the personalities to be returned to the Chamber. The resulting Parliament met in the first week of 1934. Packed with the Premier's nominees, it was unrepresentative of the Ikhā opposition, poor in tribal spokesmen, and proportionately unjust to the Shi'is; nor did 'Ali Jawdat's initiative in founding a Party of National Unity, which barely attained life before expiring, produce the desired co-operation. The election procedure was strongly criticized in the Chamber of Deputies; the Senate opposed the régime to the extent of absenting themselves from their House; Baghdad political circles raged at their own exclusion and at the many illegalities alleged; hostile posters and pamphlets appeared on walls and in coffee-shops. All administrative shortcomings were once again, and unreasonably, attributed to the Prime Minister. The Cabinet itself was unhappy, Madfa'i and 'Umari were felt to be doubtfully loyal, Yusif Ghanima a political nonentity. Far more sinister, however, was the stream of subversive propaganda which poured insistently from the capital, inciting tribesmen to emotions bound to end in anti-Government violence. It was understood to emanate from a group of opposition statesmen, bitter in their frustration and led by Ḥikmat Sulayman. The propaganda was addressed to potentially malcontent Kurds in the far north, and more regularly to the Najf-dominated tribes of the Euphrates, where such shaykhly politicians as 'Abd al-Waḥid al-Ḥajj Sikr of the Fatla had been unwisely excluded from Parliament and had everything, private and public, to hope from a change of Government. With 'Abd al-Waḥid were men of similar stamp, Sayid Muḥsin abu al-Ṭabikh, 'Alwan al-Yasiri, and others. Simultaneously, and by reaction against the claim of these to leadership, another half of the tribal world, not less unquiet and

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*645 The failure of Yasin Pasha to impose the peace and security which he had promised was due to causes already analysed, and in some measure to the hasty ineptitude of his Minister of Interior. But, as in 1920, disturbance on the Euphrates and locally and temporarily elsewhere did not greatly affect the rest of the territory. The cities were secure and tranquil, the northern liwās and the whole of Tigris-side untroubled. The period of Yasin Pasha's premiership was indeed by 'Iraqi standards one of firm and reasonable government, and seemed, even in the late summer of 1936, likely to be prolonged. The coming event of violent military intervention cast no shadow before it.

• 646 [659] The general election ordered in April 1935 produced in August a Chamber swollen from 88 to 108 members: the additional seats arose from increased population-figures revealed by the Census Department, and were useful in placating more shaykhs and partisans. Early sessions of Parliament were disturbed by fierce recriminations between factions for the crime of inciting the tribes —a crime peculiar, in fact, to no single party. The Administration proceeded to a general amnesty of the political offenders of recent months, to a purge of suspect officials, and to the preferment, as the spoils of office, of more reliable personnel.

647 Genuine efforts were made, indeed, to arrest the deterioration of the Administration, though the further reduction of senior British officials may have told in the opposite sense. It cost 'Iraq in 1935 the services of Sir K. Cornwallis, whose work for Faysal and for 'Iraq had been outstanding; Edmonds, profoundly versed in 'Iraqi and especially Kurdish affairs, succeeded him. In the same year Prescott, the creator of the 'Iraq Police, resigned from the service and left Cones for a further ten years as Inspector of Constabulary. Sievwright, veteran of the Customs, retired and was succeeded until 1941 by Swan of Finance. Parlby, Auditor-General, returned to India. Hallinan had ceased in 1933 to be Inspector-General of Health Services, and was replaced by an 'Iraqi doctor. The Tapu Department dispensed with British help after the death of Alderman (himself successor of Royds in 1930) in 1934. The same is true of the Department of Agriculture, which Webster left in the same year. B. C. Newland, Director of Surveys, relinquished his post in 1935 to his deputy, A. J. Booth, who still held it sixteen years later. Chadwick left the Veterinary Department in 1934, but was to have a second tenure of the Directorship in 1942 to 1947. The Government Geologist Dr. Macfadyen left 'Iraq in 1937 after two years' service there, and was not immediately replaced. Allard retired in 1934 from Irrigation, in which an 'Iraqi had already succeeded him as Director-General; a British Chief Engineer and British regional staff still served there, and the

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

northern 'Iraq. In June 1937 continued lawlessness at Samawa led to military operations on the habitual pattern, with destruction of villages, tribal attacks on the qadhā town, and (it was said) the shooting of hostages by the Army. Deep as was the impression made on the tribes by this treatment, peace never returned to these troubled regions during the life-time of the Sulaymani Ministry. In the towns, security was reasonably maintained, and isolated acts of anti-Jewish violence which had occurred in Baghdad in 1936 were not repeated.

The Ministry remained unhappy in the political sphere. The general elections ordered in November 1936 and completed in February 1937 produced a Chamber from which indispensable compliance with Ṣidqi's wishes had excluded the bulk of former Deputies and all but twelve of the Reformists; but had admitted, as a conciliatory favour, some ill-chosen wildlings from the Euphrates tribes. In the four months of the Extraordinary Session from February to June 1937 the Chamber was uneasy and divided, with painful friction between the Ministry's own ill-assorted followers. This, and the frustrations of their minority position, and their dislike of the re-adopted harsh policy at Samawa, led in June to the resignation of the four Reformist ministers. While still in office their influence, especially that of Chadirchi, had inspired, perhaps encouraged, serious strikes among industrial workers. So were explained the successive strikes at the Kut barrage, in the drilling-areas of the B.O.D. Company, in the Railway workshops, among the Port workers and the Najf weavers, and among the 'Iraq Petroleum Company's labour at Kirkuk. These strikes, whether industrially justified or not, reflected a new spirit of labour self-consciousness not necessarily unhealthy—and a new political weapon.

Ḥikmat's hopes of strengthening his Cabinet by the inclusion in it of leading statesmen—Nuri Sa'id himself, or Jamil al-Madfa'i—could not but fail since few now trusted Bakr or the uneasy régime itself. Of the four new ministers, two, 'Ali Maḥmud al-Shaykh and Muḥammad 'Ali Maḥmud, were Sunni lawyer-politicians and functionaries, and two, 'Abbas Mahdi and Ja'far Ḥamandi, were Shi'is of similar background. They were posted to the Ministries of Justice, Finance, Works, and Education respectively; but they were politically of little weight. The breach between the Reform movement and the Government was now complete; the People's Reform League was suppressed, and prominent Communists, real or alleged, were arrested. Two of the most active, 'Abd al-Qadir and Yusif, sons of Isma'il, fled to Paris. The Army dominated, ever more obviously, the Prime Minister and his Government.

The position was one which Bakr Ṣidqi could not but abuse. He

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The new Parliament assembled on 23 December. Its members, selected with the greatest care, did not include Ḥikmat Sulayman or, save one, any of his Cabinet. Nevertheless, the session was a stormy one. Partisans of Ja'far Pasha returned hotly but always in vain to the attack; their final demand for a judicial inquiry was refused as being incompatible with the Act of Indemnity for all the 1937 offenders or suspects, which was passed by Parliament in March. The ill-feeling between Nuri Sa'id and Ḥikmat, not in itself unfavourable to the stability of the Madfa'i Ministry, was interrupted only by Nuri's long absences from the country; his visits to 'Iraq were treated as danger signals. The ejected ministers of the Hashimi Cabinet waged constant war in Parliament with the beneficiaries of the Bakr Ṣidqi régime, with mutual accusations of intrigue or treason; nothing, after all, had changed in the politics of Baghdad! Parliament adjourned on 7 May. Sir Maurice Peterson had replaced Sir A. Clark Kerr as British Ambassador two months earlier.

Politics apart, the year 1938 was one of exceptional tranquillity. All was quiet in Kurdistan, bandits were arrested or dispersed in Bazyan, the Sulaymaniya countryside was untroubled. Shaykh Maḥmud's properties, confiscated in 1931, were restored to him. A normal qadhā administration was introduced for the first time into the Pishdar area. The murder of an American missionary, Mr. Cumberland, by Doshki tribesmen in Dohuk qadhā was an isolated crime. The signs of mourning in Kirkuk at the death of Kamal Ataturk could be ignored as harmless. The arrest and trial of Communists in Baghdad was approved by all; Parliament legislated to declare Communism in 'Iraq illegal and its votaries dangerous criminals; the movement was forced underground. No strikes interrupted industrial work or the public services. The middle Euphrates remained precariously quiet. An outbreak of fighting between two 'Amara tribes was composed, after serious bloodshed, by a Muntafiq arbitrator. In the western desert, traditional Shammar-'Uqaydat hostilities dragged on.

Efforts were made to obtain arms for the 'Iraq Army on sounder lines than those of Bakr Ṣidqi. Discipline improved, Kurd-Arab bickering in the forces was reduced, and the old Royal Air Force quarters at Hinaydi—known henceforward as al-Rashid Camp—were occupied by the 'Iraq Army. The R.A.F. completed its move to Ḥabbaniya, where a cantonment with modern amenities had been erected.

The Assyrian question moved towards a solution—or a confession of insolubility. The Khabur settlements were, in part at 'Iraqi expense, made self-supporting under the League Committee's arrangements, and after 1938 the 'Iraq Treasury was relieved

1: Longrigg G-4, 5 (ca, 1915-1940) MH1 Iraq MH1

Nuri Pash, perhaps with the reluctance which he professed, accepted the premiership for the fifth time on Christmas Day 1938. 645×

2. DEATH OF THE KING

The new Ministry was greeted by the usual hopes for a firm and stable régime at last, the usual apprehension of faction, reprisal, and further military intervention. A Cabinet of average merit was announced; but once again no firm basis of shared principles was present to unite the ministers. Naji Shawkat was summoned from the 'Iraqi Legation at Ankara to be Minister of the Interior, Rustum Haydar went to Finance, the capable Turkoman, 'Umar Nadhmi, to Works, Maḥmud Ṣubḥi al-Daftari to Justice, Ṣaliḥ Jabr to Education, Ṭaha al-Hashimi to Defence. Rashid 'Ali was taken to preside over the Royal Diwan. The Prime Minister's inaugural speech was admirably balanced, wise, and high-minded; it deprecated military adventures and urged all parties to accept the rule of law and true democracy. The banned newspapers were relicensed, the exiled politicians returned. Postal censorship was abolished, dismissed officials were reinstated, and permission was given for the formation of political parties, though these failed for the moment to take shape. Words of mingled reproof and encouragement were addressed to assembled Euphrates shaykhs.

In Parliament, however, the usual asperities were not slow to repeat themselves, and redoubled after the departure of Nuri Pasha to London early in 1939. The exiled victims of the Madfa'i Ministry demanded vengeance for its high-handed illegalities, and as a first step pressed for reference of disputed points of law to the Special Court provided by the Organic Law; and the Ministry, itself indifferently united, decided to reinforce its position by general elections which might produce a more amenable Chamber. The Irada ordering the dissolution of Parliament appeared on 22 February, a few days before the State visit paid to Baghdad by the Crown Prince of Persia. 646 665

The return of the Prime Minister from London late in February was followed by the issue of a ministerial programme on the habitual lines. A few days later the discovery of a conspiracy was announced, understood to involve not only Ḥikmat Sulayman—the *bête noire* of Nuri Pasha—but a formidable list of other politicians and officers. The plot, it was revealed, had aimed at the murder of no less than fifty leading personalities, the assassination of the King, and the enthronement of his first cousin, the Amir 'Abd al-Ilah—or, as some preferred, of the Amir Zayd. A State of Emergency was immediately proclaimed at al-Rashid Camp, a number of arrests were made, and a special court martial was convened with civilian judges as equal members with the military. On the strength of 645× 669

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

642 1943 and the draft law resulting from their efforts was passed by the deputies and Senate in May and June. Requiring, under the Constitution, ratification by a new Parliament, it was accordingly re-presented to and passed by the Chamber which after general elections—the first since 1939—met on 9 October. The amendment provided that, for the succession to the Throne in the absence of an heir apparent, a male heir presumptive from the family of the late King Ḥusayn—in this case the Regent himself—should be nominated. The prerogative of the King was increased by empowering him to dismiss a Prime Minister, a provision the previous lack of which had led repeatedly to violent and illegal changes of Government. The number of Cabinet Ministers could be increased without limit, and could include a Deputy Premier and ministers without portfolio; but it could not be less than seven. Senators ceased to be limited to twenty, but were not to exceed a quarter of the deputies. Parliament was deprived of the power to pardon persons convicted of crimes against the State. Meetings of the Chamber could be held, if need be, outside the capital—a clear echo of the Regent's sojourn in Diwaniya and Baṣra in 1941. Finally, it provided that constitutional practices current in other countries, could, if not contrary to the Constitution, be adopted by resolution of both Chambers.

645 The general election of mid-1943, which followed the dissolution of the Chamber in June, had been preceded by yet another reconstruction of the Cabinet. Ṣaliḥ Jabr moved to Interior, Taḥsin al-'Askari to Works; the Ministers of Economics and Social Affairs, al-Uzri and al-Barrak, were unchanged; Aḥmad Mukhtar Baban came to Justice, vacated by Da'ud al-Ḥaydari. The able lawyer Naṣrat al-Farsi was appointed to Foreign Affairs, 'Abd al-Ilah Ḥafidh to Education, and Jalal Baban to Finance. Taḥsin 'Ali went to the Royal Diwan. But the reformed Cabinet was from the first uneasy; with the heat of summer, the frequent absences of the Prime Minister in Syria and Egypt, and a Palace attitude of little confidence, it could do little. It was further weakened in September by disagreements both among ministers themselves and between the Premier and the Regent as to the personnel of the new Parliament, in whose selection the executive was to play, as usual, a major part. The first week of October witnessed the resignation of Naṣrat, whose portfolio was assumed temporarily by al-'Askari: of Ṣaliḥ Jabr, who was replaced by a competent Mutaṣarrif, Abdullah al-Qaṣṣab, nephew of 'Abd al-'Aziz Qaṣṣab; and of Jalal Baban, whose duties fell to 'Abd al-Ila Ḥafidh. The new Chamber contained sixty-five of the former deputies, some of doubtful quality but none notably Anglophobe; fifty-one of its members had in April 1941 voted, under whatever pressures, for the deposition of

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH1

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the Regent. The opening of Parliament and passage of the Constitutional Amendment was followed by the departure of the Prime Minister once again to Egypt, in pursuance of his now absorbed interest in the pursuit of Arab Unity.

645X

Late in October, just as news was reaching Baghdad of incipient trouble in the Barzan mountains (p. 324), the Regent (now also Crown Prince) left for Britain in response to an invitation from King George VI. He had been preceded there by Da'ud al-Ḥaydari as Minister, and was accompanied by Dr. Sinderson Pasha and a military staff. He was met by the Duke of Gloucester, stayed for two days at Buckingham Palace and later elsewhere in London before returning to Baghdad in mid-December by way of Lisbon. He both received and created an excellent impression.

At his capital he faced immediately the task of installing a Ministry more united and more competent. But his relations with Nuri Pasha were passing through an unusual phase of impatience or mistrust, and their conversations were uneasy. Ibrahim Kamal, whose abilities had been too little used, was unwilling or unable to accept the premiership, of which it was believed that he had the offer; and Nuri, who had resigned office, was after all invited to form another Cabinet, his eighth. Announcing it on Christmas Day 1943, he was supported for the first time by a Deputy Prime Minister, Tawfiq al-Suwaydi, and by new ministers in the person of Mājid Muṣṭafā, an influential Kurdish ex-official, as Minister without portfolio for Kurdish affairs, and by Muḥammad Ḥasan Kubba, a Shi'i judge. The other ministers were all, to the dismay of reformists, stalwart representatives of the long-established governing clique. They included two Shi'is besides Kubba—Salman Barrak at Economics and Ṣādiq Baṣṣam at Works—'Umar Nadhmi the Turkoman at Interior and Aḥmad Mukhtar Baban, Maḥmud Ṣubḥi al-Daftari, 'Ali Mumtaz, and 'Abd al-Ilah Ḥafidh at Justice, Foreign Affairs, Finance, and Education respectively. Nuri's offer of the Cabinet post of Social Affairs to Kamil al-Chadirchi, and on his refusal to Muḥammad Ḥadid, was declined.

3. THE PACHACHI MINISTRY

The eighth Sa'idi Ministry was from the first an unhappy one. Its leader, never interested for long in domestic administration, was now exhausted by his many cares and frequently absented himself on visits to the Arab countries. His team included personalities doubtfully acceptable to the Regent, and Court circles led by Taḥsin 'Ali joined the opposition in a policy of pin-pricks. The appointment of Tawfiq al-Suwaydi as deputy to Nuri Pasha was questioned, and he resigned in March 1944. Arab Unity, the visits of Arab statesmen from abroad, and the increasing threat of

1: Longrigg G-4, 5 (ca. 1915-1940) MH1 Iraq MH

with the promise of full freedom of choice. But his hopes of securing a strong Chamber and satisfied parties by inviting their co-operation were but partially gratified; the Liberals and National Democrats, invited to name representatives for Cabinet posts, did so in the persons of 'Ali Mumtaz at the Ministry of Works and Muḥammad Ḥadid at that of Supply; but both these and two Shi'i ministers, Ṣaliḥ Jabr at Finance and Ṣādiq Baṣṣam at Education, resigned their offices in the following month to devote themselves to an election campaign. Most of the parties, including Ṣaliḥ Jabr's parliamentary Political Bloc, took part and one, the unauthorized National Liberation Party, was the cause of a scuffle with the police at Kadhimiya. The Cabinet was, with consequent changes, reformed to include 'Abd al-Hadi al-Chalabi at Works, 'Abd al-Ilah Ḥafidh at Supply and temporarily at Finance, Shakir al-Wadi (reputed to be in the close confidence of the Regent) at Defence, Babā 'Ali at Economics, Jamil 'Abd al-Wahhab at Social Affairs and for a time at Education, Fadhil Jamali at Foreign Affairs, and 'Umar Nadhmi at Justice.

The conduct of the elections, which began in February, did not prevent Nuri Pasha from locating hotbeds of Communism and claiming by his arrests and searches to have suppressed them. The followers of Yusif Salman and Da'ud al-Ṣayigh were involved, and from these or other groups such leaders as Ibrahim Naji Shummal, Zaki Muḥammad Baṣim, and two score of their associates were arrested. With the exposure of the Communist cells in every liwā, the Premier could hope that a fatal blow had been dealt to the movement; but gratitude for this did little to diminish the fury of press attacks on himself and on targets provided by the British, notably Reuter's Agency and local branches of the British Council.

The Chamber of Deputies which, amid the usual outcries against 'Government interference', emerged from the elections, showed a large majority of independent members or supporters of Nuri and of Ṣaliḥ Jabr. The National Democratic Party secured five seats, the other parties none. When Parliament opened Nuri, who had accepted the premiership on this understanding, now made way for Ṣaliḥ Jabr, and was ready to support a Ministry led by him—the first to be formed under a Shi'i Premier. Ṣaliḥ reserved for himself the Ministry of the Interior and relied upon experienced colleagues in the other appointments: he retained Jamali, Shakir al-Wadi, 'Abd al-Ilah Ḥafidh, and Jamil 'Abd al-Wahhab in their former posts, and brought Jamal Baban to Justice and temporarily to Economics, Ghanima to Finance, the Kurdish scholar Tawfiq Wahbi to Education, the Shi'i Dhiyā' Ja'far—a Birmingham graduate in oil engineering—to Works. The Opposition, itself fragmentary, was formed mainly by the five parties not represented

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theme for hostile schoolboy agitation in the streets of the capital. The Ministry's appeal for unity and tranquillity, and another by al-Ṣadr in person, were alike unheeded, and the work of administration, in which the Prime Minister had neither interest nor competence, was largely ignored. The near-famine conditions among the poorer classes could not be cured until after the harvest, which itself promised to be scanty; meanwhile an Australian grain ship was by British initiative diverted to Baṣra and its urgently needed stores distributed.

The death of Ḥamdi al-Pachachi on 27 March led to changes among the uneasy ministers. 'Umar Nadhmi had resigned and been replaced at Justice by Najib al-Rawi, who handed his portfolio of Social Affairs to Ḥaydari. Naṣrat had succeeded Madfa'i at Interior when the latter became President of the Senate, and was himself succeeded when he moved to Foreign Affairs by Muṣṭafā al-'Umari who could thus 'control' the forthcoming elections. The Amir al-Rabi'a resigned and went home in April. Muḥammad Mahdi al-Kubba left the Ministry early in June. The frequent absences of the Ministers of Finance and Justice at Arab League meetings led to constant interchange of ministerial duties, from which the shaken and demoralized Administration suffered.

The Chamber met on 26 June, after elections in which legal and illegal parties alike had put forth all their efforts, and which had produced street fighting in Kadhimiya, Baghdad, and Sulaymaniya. The Independence Party secured four seats, the National Democrats two, the Liberals one. All other deputies were free of party attachment and as such were likely to vote for any Ministry in power; it was clear that the enthusiasm, or the leadership, of the parties had still too little appeal to seduce the electorate from the familiar candidates of local importance in their constituencies or to resist the conservative influence of controlling officialdom. A Chamber—or an electorate—divided on true party lines was still an unrealizable conception.

The new Parliament was confronted, to its dismay, with a situation containing new and alarming features which events in Palestine had created. The United Nations decision for Partition, taken in November 1947, had led in 'Iraq as elsewhere to angry remonstrance, and in the Arab League to emergency meetings. But no hopeful measures could be taken or planned at these; the lines of cleavage within the League were already too clear, and most of the States members too doubtful of their own stability. The earlier decision to encourage the infiltration of guerrilla fighters from each country into Palestine, for the stiffening of local resistance, was carried out to a limited extent. Some hundreds—or, as some said, two battalions—of young and a few veteran

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/For the first election to the Constituent Assembly of Iraq in 1922 and the activity of the Assembly after its convention, see category 116, pp. 391-405./

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fifteen others arrived in Baghdad from Kubaisa on March 14th. The main body of officers and their families, numbering 396 in all, sailed from Port Said in a special boat, on February 13th, arriving in Baghdad in early March.

The return of these officers added to the heated atmosphere of Baghdad. Although the expectation of the British officials that they would render assistance in promoting the candidacy of a Sharifian Amīr was not disappointed, a number became active partisans of other candidates, especially Saiyid Talib Pasha who made determined efforts to win their support. In addition, considerable jealousy was aroused by their return among 'Iraqi ex-officials formerly in Turkish service as well as local notables who regarded the officers with suspicion and fear, lest they appropriate all the best posts.

The High Commissioner had repeatedly stated that the Council of State was to be provisional until it was possible to set up a permanent government,[1] the precise form of which, he declared, 'must be decided by the people themselves and this can only be properly done by a convocation of a National Congress, fully representative of the people.'[2] He also awaited the convocation of the Assembly since he 'found himself confronted with questions of policy affecting the future of 'Iraq with which he did not feel justified in dealing without consultation with representatives of the people of the country.'[3]

Every reason seemed to exist for the inauguration of the National Assembly within the two or three months which Sir Percy had stated, on November 7th,[4] to be necessary to com-

[1] *Communiqué* by the High Commissioner, November 7th, 1920: *Al-'Iraq*, November 15th, 1920: *Political Developments in Meso.*, pp. 7-8. Also Letter No. SD. 170a, High Commissioner to All Officers of Civil Admin. in Mesopotamia, November 30th, 1920.

[2] *Communiqué*, November 7th, 1920. Also Telegram, High Commissioner to S/S for India, October 26th, 1920.

[3] *Political Developments in Meso.*, p. 3. Also *Admin. Report*, 1920-1922, p. 3.

[4] *Communiqué*, November 7th, 1920. In his telegram to S/S for India, October 26th, however, he had stated: 'at least three or probably more months must elapse before the election can be completed and a decision reached on the fundamental issues.'

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plete the electoral law, to restore the country to peace and to carry out the elections.[1] A draft law, adapted from the Ottoman Electoral Law for use in 'Iraq was presented to the High Commissioner on November 7th[2] by a Committee composed of ex-deputies of the Ottoman Chamber and of co-opted members under the presidency of Saiyid Talib Pasha, set up according to instructions of the Acting Civil Commissioner, July 9th, 1920.[3] Both the High Commissioner and the Council of State gave their early attention to the draft, the latter referring it to a special Committee which first met on November 30th. The restoration of order, on which the elections were to depend, was accomplished by February, 1921.[4]

Nevertheless, the law was not promulgated until March 4th, 1922,[5] nor did the Assembly convene until March 27th, 1924, although an *'Irāda* convoking it had been issued on October 19th, 1922,[6] by which time Amīr Faisal had been placed on the throne and the main lines of the government and the principal questions of policy had been settled. Its deliberations, moreover, were specifically restricted, both by the *'Irāda* of 1922 and that of 1924, to the ratification of three documents to be placed before it: the Organic Law or Constitution, the Electoral Law for a Chamber of Deputies and the Anglo-'Iraq Treaty of 1922.[7]

The delay was due in part to difficulties incurred in formulating and in putting into operation a law suited to 'Iraq. One

[1] The Nationalists, in this expectation, formed committees and began to work actively for their candidates during November and December, 1920.

[2] Letter, High Commissioner to members of the Electoral Law Committee, November 12th, 1920: *Note on Council of State*, pp. 5-6; *Political Developments in Meso.*, pp. 10-11.

[3] *Compilation*, 1919-1920, Notification No. 50, p. 101.

[4] Historical summary by Sir Percy Cox: Bell, op. cit., pp. 528-9.

[5] *Compilation of Proclamations, Laws and Regulations, issued between 1 October, 1920, and 31 December, 1923* (Baghdad, 1924), (hereafter *Compilation*, 1920-1923), pp. 34-42.

[6] *'Irāda*, convoking the Constituent Assembly, October 19th, 1922; *Compilation*, 1920-1923, p. 82.

[7] Ibid.; *'Irāda* for the Opening of the Constituent Assembly, March 22nd, 1924: *Compilation of Laws and Regulations, issued between January 1st and December 31st, 1924* (Baghdad, 1926) (hereafter *Compilation*, 1924), p. 7.

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of these difficulties arose early in December when the Council disagreed violently over the provisions for tribal representation. It had been originally proposed that thirty tribal representatives should be present in the Assembly: twenty shaikhs of the major tribes and ten members for the smaller tribes, grouped together in each of the new *Liwās*. The Council (with the exception of five members), owing to the traditional fear of townsmen and landowners for the tribes, opposed any special tribal representation, although Sir Percy Cox pointed out that it was essential that every section of the population should be represented in the Assembly which was to decide upon the future of 'Iraq. Not until Ja'far Pasha proposed an alternative scheme of two tribal representatives for each *Liwā* with the proviso that tribesmen might register and vote as all other 'Iraqīs if they so desired, was the question settled.

It would appear, however, that these and other obstacles to the drafting and application of the law, including Saiyid Talib Pasha's opposition to it,[1] were used by the British authorities as excuses to postpone the inauguration of the Assembly, notwithstanding the official *communiqué* of May 30th, 1921,[2] assuring the 'Iraqīs that the elections would soon be held. Evidence was not lacking that attempts would be made to force the Assembly, if convened, to declare for a local and unacceptable candidate such as Saiyid Talib Pasha and to force it to make anti-British declarations. It was known that the Nationalist leaders, including some of the *Mandubīn*, were again active and that the National School party had been revived. It was also reported that several tribes, as those of the 'Afaq district and the Shammar Dhafīr, were contemplating another revolt at Nationalist, Turkish and Bolshevist instigation. Letters had been intercepted in January from Muhammad Ridhā, outlining anti-British plans and giving instructions for

[1] *Admin. Report*, 1920-1922, p. 5.

[2] *Baghdad Times*, May 30th, 1921. See also correspondence between the High Commissioner and the Council of State in *Lisān al-'Arab* and in *Al-'Iraq*, July 15th, 1921.

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INSTRUMENTS OF GOVERNMENT

The Electoral Law by which the Parliament (the powers of which had given the drafters of the Organic Law great concern) was to be brought into being, had early occupied the attention of British and 'Iraqī officials.

The draft law, as presented and passed by the Constituent Assembly,[1] provided for an indirect system of election in accordance with the Turkish model on which both it and the Constituent Assembly Election Regulations[2] had been based. Deputies, in accordance with Article 36 of the Constitution, were to be elected in the proportion of one to every 20,000 primary voters who, among other qualifications (Article 33), were to be every male 'Iraqī, 21 years of age, paying taxes to the Government. Additional deputies, representing the Christians and the Jews, were also to be elected in the *Liwās* of Mōsul, Baghdad and Basra, in the following numbers:

Mōsul *Liwā*	2 Christians, 1 Jew.
Baghdad *Liwā*	1 Christian, 2 Jews.
Basra *Liwā*	1 Christian, 1 Jew.[3]

Primary electors, inscribed in registers by the electoral authorities of their electoral districts, into which the country had been divided, were to elect by secret ballot (Chapter I) the secondary electors in proportion of one to every 250 primary voters (Article 7). The secondary electors, assembling at the headquarters of their district, were to elect the deputies who, in addition to the qualifications enumerated in Articles 30 and 42 of the Constitution, had to reside within the electoral circle for which they were elected (Article 8).[4] To provide for by-elections, the secondary electors were to retain their office from one election until the next, and were to reconvene whenever called upon to elect a new deputy (Article 42).

[1] *Infra*, Ch. XXI. Text: *Compilation*, 1924, pp. 45-51.
[2] *Compilation*, 1923, pp. 34-42, 47, 83, 157.
[3] Article 6.
[4] First circle: *Liwās* of Mōsul, Kirkūk, Sulaimānīya and 'Arbīl. Second circle: *Liwās* of Baghdad, Diyālā, Dulaim, Hilla, Karbalā, Kūt and Diwāniyā. Third circle: *Liwās* of Muntafiq, 'Amarā and Basra.

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642 Each step in the preparation of the registers, in the election
646 procedure, and in the certifying of deputies was minutely
666 prescribed by the law, penalties being laid down in accordance with modern practice for every possible contravention of the regulations.

642 The actual setting up of Parliament and the institution of the constitutional system were to await the ratification and the promulgation of the Organic Law and the Electoral Law. Nevertheless, in the two laws, through the efforts of their drafters, ample provision had been made along liberal lines, with the exception perhaps of the articles imposed in the interests of British policy, for the machinery and paraphernalia of a modern democratic State: a Sovereign, limited by law, a Council of Ministers responsible to Parliament, a Parliament consisting of a Senate and a representative Chamber of Deputies, and Judicial, Financial and Administrative systems. Provision had been made for the regulation of each institution. An outline had been provided into which further developments could be fitted in conformity with law as new circumstances made them essential. Comprehensive safeguards had been imposed for the rights of all sections of the population. Whether the machinery, the outlines and the safeguards so provided, however, were to be equal to the task of regenerating the country, to the progressive development of the new Kingdom and to the assurance of justice and equity to each member of the State, regardless of 'language, race or creed',[1] or whether they were to remain, as their Turkish prototypes had often remained, paper principles, depended on future circumstances, on the spirit and on the efficient zeal with which they were to be applied.

[1] Constitution, Article 6.

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Complete support, however, of the country has yet to be won by the new Government. It must count on the opposition of the exiled 'Iraqīs and of the adherents of the late Ja'far Pasha. It must count also on the potential opposition of all 'Iraqīs who for motives of self-interest have kept a foot in both camps.[1] Its real test will come, therefore, in its inability to carry out its promises and to meet other problems which face the country: placating the shaikhs at the same time that the land is divided, applying conscription to the tribal areas, bringing Shī'īs and Sunnīs into harmony and of meeting the rising cost of living.

The Chamber of Deputies

The Chamber of Deputies, although a dignified body meeting regularly since its establishment in 1925 and conducting its deliberations as a rule with sobriety and moderation, has failed to take its full and rightful place in the political life of 'Iraq, as foreshadowed by the provisions of the Constitution. The failure seems directly due to its inability to command public confidence. The wave of scepticism as to the value of parliamentary institutions which recently swept over 'Iraq, in common with other countries with a more substantial democratic tradition, prepared the way for the present military dictatorship. The slow progress of 'Iraq as compared with that of Turkey and Persia under dictatorial regimes was conveniently explained away as being due to the democratic institutions. The critics pointed out that the parliamentary system of 'Iraq was adopted from foreign models and was unsuited to conditions and needs of 'Iraq. They indicated and with more reason that the elections to the Chamber, without exception, have been rigidly controlled by the Government, often under pressure from the Residency as in 1928 and 1930.[2] In all districts except Baghdad

[1] See Macdonald, A. D., *Euphrates Exile* (1936), pp. 53 ff. for a discussion of this characteristic in 'Iraqīs.

[2] Principally because the Treaties of 1927 and of 1930 were to be ratified by the newly elected Chambers.

646 where the electoral body is not so amenable to control as else-
666 where, the confidential orders of the Government to the provincial officials proved sufficient to secure the election of its candidates whether they were residents of the district or even known there. Thus in 1925, all but four of the government candidates were returned, two of these being from Baghdad *Liwā*.[1] In 1928 the deputies returned from Basra, 'Amāra, Diyālā, Dulaim, Hilla and 'Arbīl *Liwās* were government nominees.[2] Of the thirteen Baghdad deputies, all but five were Government candidates. In these two elections, as well as in that of 1930, a number of Opposition candidates were conscientiously included by the Government on the principle advocated by the King that talented members of the Opposition would raise more difficulties outside Parliament from feelings of personal dissatisfaction than if they were actually members. Thus in 1928, half of the twenty-two Opposition members returned to the Chamber had been previously given the government coupon.

646 The deputies, on the other hand, by their proneness to con-
661 sider parliamentary office as a means to personal aggrandisement, persistently refused the opportunity to win the respect and confidence of the nation. In 1925, it had been somewhat difficult to secure candidates to come forward. It soon became apparent, however, that deputyship meant an assured income and, even more attractive, the exercise of influence. In 'Iraq, as in other countries, the principal value attached to official position has been its effectiveness in securing official favours and financial gain.

646 Examination of the statute books of 'Iraq, not only from 1925
661 to 1932 but also to the present date, seems to suggest that the
656 deputies have not failed to make free use of their position. Many of the financial measures granting remission of arrears in

[1] *Baghdad Times*, June 10th, 1925. These four, with five others, were, according to a confidential report of the time, accounted to be 'unsatisfactory from the British standpoint'.

[2] Cf. *Baghdad Times*, May 10th, 1928.

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revenue[1] and of other financial legislation,[2] while passed by the Chamber for the benefit of 'Iraq as a whole, particularly after the agricultural crisis of 1931, have especially favoured the land-owning class which has been predominant in Parliament. Other evidence seems to point to the exercise by the deputies of their influence outside of Parliament, either to secure preferential treatment from revenue officials or to obtain appointments for their protégés.

In spite of these deficiencies, Parliament, judged by its complete record before 1932 as well as afterwards, has filled an important function in the political life of 'Iraq. It has attracted the most agile brains in the country; it has reflected although imperfectly, public opinion; and it has served as a brake on legislation which might otherwise have been forced on the country more quickly than it could be assimilated. It has served to curb the attempts of individual Ministers to assume a dictatorial attitude. Its right of interrogation, while sometimes checking the initiative of Ministers, has also served to reveal irregularities in administration. It has, moreover, furnished an outlet for Shi'a aspirations for participation in the Government and has given tribal opinion a limited means of expression through the tribal representatives, although discontent with the number of tribal representatives and the manner of their election was given by the leaders of the tribal revolt of 1935 as one of the primary reasons for that rising.[3]

The Chamber, together with the conservative Senate of twenty appointed notables, has, notwithstanding its many deficiencies, laid the foundations upon which democratic government, if it is to come to 'Iraq, must be built. If Parliament were to be given a broader base of an enlightened electorate, a reasonable degree of freedom of election, leadership and new

[1] Particularly Laws: No. 38 of 1927; No. 55 of 1929; Nos. 38, 43, 69 of 1931; Nos. 1, 5, 10, 34, 35 of 1932; Nos. 8, 10, 13, 14 of 1933.
[2] Particularly Pump Law of February 13th, 1926; No. 72 of 1926; No. 38 of 1929; No. 37 of 1930; No. 66 of 1931, etc.
[3] *Near East and India*, June 27th, 1935; also *The Times*, August 5th, 1936.

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646 blood from the ranks of those who have absorbed with their education a modicum of civil spirit and a sense of duty to the State, it might yet prove to be the vital political institution of 'Iraq.

Whether these conditions will be attained or whether parliamentary institutions themselves will be retained under the present Government, it is too soon to determine.[1] It is not too much to believe, however, bearing in mind the historical pattern of other dictatorships based on military force, that should the Chamber attempt to take an independent attitude, or should an opposition party arise, the Chamber will have a short life, and that the eventual overthrow of the constitution must follow, together with the loss of such rights and liberties as are now valued by the people of 'Iraq and the destruction of all those conditions essential for the development and maintenance of democracy.

Administrative Services

647 A major difficulty which has faced 'Iraq in the development of her administration has been the lack of a regularly organized Civil Service with regulations governing cadres, appointments, promotions and conditions of service.

Attempts to organize cadres for the various branches of administration, made as early as 1923 when a Cadre Commission was appointed[2] and renewed from time to time, as in 1926[3] and 1928,[4] have not been productive of a systematic

[1] Freedom of voting and introduction of new blood marked the elections to the new Chamber which convened on February 27th, 1937. It was apparent, however, even before the secondary elections had been held that the candidates, as in all past elections, had been selected so that there would be little or no opposition in the Chamber.

[2] By a decision of the Council of Ministers, March 5th, 1923: see also *Admin. Report*, 1923-1924, p. 124.

[3] Ibid., 1926, p. 70.

[4] The Cadre Commission was reorganized by the Council, October 6th, 1928. See also ibid., 1928, pp. 66-7.

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645 The General's Cabinet dissolved all the political parties in-
666 cluding the Constitutional Union, but conceded the opposition
665 demand for single-stage elections. Elections, carried out in January 1953, were boycotted by all but one of the former opposition parties, including that of Salih Jabr, on the charge of governmental control. The resulting chamber naturally showed an enormous majority for Nuri as-Said, though neither the boycott nor the existence of martial law can greatly have affected the issue: the extreme parties had anyway no prospect of success and it would appear that the party of Salih Jabr, in spite of its alleged expectations, was already outmanœuvred. The Cabinet which was subsequently formed under Jamil [185] Midfai remained in power till September; it apparently abandoned and indeed reversed its predecessor's cautious [722] attempt at economic reform. With martial law in force for little short of a year, political activity and polemic was for the time being stilled; but the suppression of a riot and the election of a conservative Parliament have not altered the fundamentals of the situation. A new Cabinet was formed on 16 September by Dr Mohammed Fadhil Jamali, former President of the Chamber of Deputies; martial law was ended by royal decree on 8 October and political parties were permitted to resume their activities.

668 But urban unrest, inflamed by the increasing participation of students in politics, can be expected to continue and spread, eventually to the rural population as well, so long as the public believes that the economics and administration of the country are subjected to the interest of a ruling class and its supposed allies among Western imperialist Powers who, in its opinion, maintain the State of Israel and are likely to involve Iraq on their own side in a third world war. Much of the bitterness with which this belief is held springs from privation or the fear of it. Once substantial results appear from the new programme of development, and the public is made aware of them, a foundation will have been laid for political stability.

Government and Constitution

643 The King of Iraq is King Faisal II, son of King Ghazi and
642 grandson of King Faisal ibn Hussain. The legislative power is
646 vested with the King in Parliament. Parliament consists of the Senate and the Chamber of Deputies. Senators are appointed by the King from among those who 'by their acts have gained the confidence and trust of the people, and those who have an honourable past in the service of the Government and the country'. In number they may not exceed one-fourth of the

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Chamber of Deputies. The deputies are elected on the basis of one to every 20,000 male Iraqi subjects. Every bill must be submitted to each Assembly in turn and then approved by the King.

The Cabinet consists of at least seven ministers, including the Prime Minister, under whose presidency it meets, and any ministers without portfolio. The Prime Minister is chosen by the King, who also appoints the other ministers on the recommendation of the Prime Minister. The ministers are responsible to the Chamber of Deputies, jointly in matters which concern the ministries and severally in what concerns their respective ministries and the departments under them.

The ministries are those of Foreign Affairs, Finance, Interior, Social Affairs, Defence, Justice, Education, Economics, Communications and Works, Health and Agriculture.

Administration

Iraq is divided into fourteen main administrative districts, or *liwas*. These are the *liwas* of Mosul, Arbil, Kirkuk, Sulaimania, Diala, Baghdad, Kut, Dulaim, Hilla, Kerbela, Diwaniya, Muntafiq, Amara, and Basra. Each *liwa* is administered by a *mutasarrif*, who is responsible to the Ministry of the Interior but is also the agent and representative of the other ministries.

Armed Forces and Police

The Iraqi army has an establishment of three divisions, comprising one mountain division, one plains division, and a cadre division which includes a mechanized force. There are a cadet and staff college and the usual service training schools. Military training is compulsory in Iraq for all men between 18 and 25, the period of actual service being 1½–2 years. Students of the secondary, technical, and religious schools are exempt, and exemption may in any case be bought after three months' training by a payment of ID50. Iraq has a small but efficient and expanding air force equipped with British operational aircraft. A flying training college has recently been established.

The police force, with a total strength of over 20,000, has a militarized force of 5,000 including a mechanized regiment, and a small camel corps which patrols the deserts in co-operation with armoured cars.

Public Health

Malaria, enteric fever, bilharzia, amoebic and bacillary dysentery, tuberculosis, ankylostomiasis, venereal diseases, and

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discrimination in accordance with capacity. Finally, Article 37 states that the method of election to the Chamber of Deputies shall take into account the necessity for the representation of non-Islamic minorities.

Some of these guarantees have been reinforced by particular laws. Thus the Electoral Law of 1924 allotted four deputies to the Christians and four to the Jews; it is a matter for dispute whether the law permits individual Christians and Jews to be elected as representatives of the ordinary constituencies. Similarly the non-Moslem communities were given representation in local and municipal councils by special laws.

As for the linguistic minorities, the Local Languages Law of 1931 provided that the official language should be Kurdish or Turkish in a number of districts, and in addition that in all elementary and primary schools in those districts the language of instruction should be the mother-tongue of the majority of the pupils.

Personal Status and Communal Organization

The grant to religious minorities of jurisdiction in personal and other matters has not met with the same difficulties as those which have occurred in Syria. Articles 75 and 78 of the Constitution provided for the establishment of Christian and Jewish Spiritual Councils, with powers of jurisdiction to be conferred upon them by special laws. Their functions were defined in Article 79 as including matters relating to marriage, dowry, divorce, separation, alimony, attestation of wills and any other matters relating to personal status if the parties concerned consented. Every religious community was also, according to Article 112, to have the right to establish bodies competent to administer Waqf property.

In application of these provisions, several laws have been issued for particular communities, defining the method of appointment of the spiritual heads of the communities and of their councils, both spiritual and lay, and their functions in regard not only to personal status but also the decision of religious questions, the training of ecclesiastics, the administration of Waqf property, and the administration of schools and charitable institutions. For those communities for which special laws have not yet been issued, the old Turkish law on the subject remains valid.

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by special pardon and, with the consent of both Assemblies of Parliament, he may proclaim a general amnesty. 642 643

PART III

THE LEGISLATURE

Art. 27. The King shall exercise his powers by means of Royal Iradas. They shall issue upon the proposal of the responsible Minister or Ministers, with the concurrence of the Prime Minister, and shall be signed by them. 642 646

Art. 28. Legislative power is vested in Parliament and the King. Parliament is composed of the Senate and the Chamber of Deputies.

The legislature has the right of making laws and of amending and repealing them in conformity with the provisions of this law.

Art. 29. The King shall open Parliament in person or depute the Prime Minister or one of the Ministers for that purpose to perform the opening ceremony and deliver the speech from the throne.

Art. 30 *(as amended October 27, 1943)*. No person shall be a member of either Assembly of Parliament:—

1) If he is not an Iraq national who has acquired Iraq nationality at birth or by virtue of the Treaty of Lausanne[1] or by naturalisation, provided that, if he is naturalised, he belongs to an Ottoman family ordinarily resident in Iraq before the year 1914, and has been an Iraq national for ten years.

2) If he is less than thirty years old in the case of a deputy, or less than forty in the case of a senator.

3) If he has been adjudged bankrupt and has not been reinstated.

4) If he has been interdicted by the Court and the interdiction has not been removed.

5) If he has been sentenced to imprisonment for a term of not less than one year for an offense which is not of a political nature, or if he has been sentenced to imprisonment for any period for theft, bribery, breach of trust, forgery, fraud or any other offence adversely affecting his honour.

6) If he holds an official appointment in the Government or the departments connected therewith, or any office, appointment or employment under a person or institution which has a contract with a

[1] See Turkey, Note on Treaties, p. 503 below.

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642 646 public department, or if he has any material interest, direct or indirect, with such contractor, unless the interest arise out of his being a share-holder in a Company composed of more than twenty-five persons. From this rule are excepted the lessees of Government lands and property, and those who are engaged in the duties described in paragraph 2 of Article 31 of this law.

7) If he is mad or an idiot.

8) If he is a relative of the King, within such degree as may be prescribed by law.

9) A person cannot be a member of both Assemblies of Parliament.

Art. 31 *(as amended October 27, 1943)*.

1) The Senate shall be composed of a number of persons not exceeding one quarter of the total number of Deputies, to be appointed by the King from among those who have, by their acts, secured the confidence and esteem of the people, and from among those who have served the State and fatherland with distinction in the past.

2) A Senator or Deputy may, with the approval of the Assembly to which he belongs, be deputed to undertake important duties in the service of the State for a period not exceeding two years.

Art. 32 *(as amended October 27, 1943)*. The period of membership of the Senate is eight years from the date of appointment. A former senator may be again appointed.

Art. 33 *(as amended October 27, 1943)*. The Senate will elect a President and two Vice-Presidents from among its members, for a period extending from the beginning of the ordinary session until the beginning of the ordinary session in the following year. The result of the election will be submitted to the King for his confirmation. In the event of the dissolution of the Chamber of Deputies, their term of office will not terminate until the new Parliament has assembled, unless they have ceased to be members of the Senate.

Art. 34. The Senate shall assemble and disperse at the same time as the Chamber of Deputies.

Art. 35 *(as amended October 27, 1943)*. A senator will receive, in addition to travelling allowance, a monthly allowance of fifty Dinars during the whole period of his membership.

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Art. 36. The Chamber of Deputies shall be constituted by election on the basis of one deputy for every twenty thousand males. 642 646

Art. 37. *(as amended October 27, 1943).* The election of deputies shall be done under a special law, which shall prescribe the manner of proposing candidates, of secret voting at elections, and the necessary representation of the Christian and Jewish minorities.

Art. 38 *(as amended October 27, 1943).*

1) The term of the Chamber of Deputies is four ordinary sessions, one in each year, beginning on the first day of December and, if that day falls on a legal holiday, then on the day following, subject to the provisions of paragraph 2 of Article 26.

2) The Chamber will be six months in session and six months in recess in each year. Subject to paragraph 1, the periods of session and recess in each year shall be determined by Royal Irada.

3) The Chamber will sit in the Capital but, if that is impossible, may sit elsewhere.

Art. 39 *(as amended October 27, 1943).*

1) The King will summon the Chamber of Deputies to meet in session; if he fails so to do on the appointed day, it will meet by virtue of this law. It will remain in session as prescribed by the preceding Article unless the King dissolves it before the end of its term.

2) The Chamber may adjourn its sittings from time to time in accordance with its Internal Regulations, and shall be deemed to be in session during such adjournments.

Art. 40 *(as amended October 27, 1943).*

1) If the Chamber is dissolved, new elections shall be proceeded with and the new Chamber will be summoned to meet in extraordinary session within a period not exceeding four months from the date of dissolution. This session shall be subject to the rules set out in Articles 38 and 39 in what concerns recess and adjournments. In any event the session must terminate on the thirtieth day of November, so that the first ordinary session of the term may begin, but if the extraordinary session begins in the months of December or January, it shall be regarded as the first ordinary session of the term.

2) If the Chamber is dissolved for any reason the new Chamber may not be dissolved for the same reason.

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642 646 3) The King may summon Parliament to assemble outside the period prescribed by Article 38 in order to decide matters to be specified in the summons; the session will be terminated by Royal Irada.

Art. 41. A former deputy is eligible for re-election.

Art. 42 *(as amended October 27, 1943)*. Every male Iraq national who has completed the thirtieth year of his age, and is not disqualified in any manner set out in Article 30, may be elected a deputy. He shall not represent more than one of the electoral districts described in the Electoral Law and, if he is elected to more than one district, he must, within eight days after having been so informed, select the district which he desires to represent. Officials, not being Ministers or delegated senators or deputies, who are elected may choose between accepting or refusing their seats, and those who accept must vacate their Government appointments within the period aforesaid.

Art. 43 *(as amended October 27, 1943)*. The Chamber of Deputies decides matters connected with the electoral qualifications of deputies, objections made against elections, vacant seats, and resignations.

Art. 44. The Chamber of Deputies shall elect a President, two Vice-Presidents and two Secretaries from among their number each year, during the first sitting of the Chamber. The result of this election shall be made known to the King and shall be confirmed by him. When necessary, one of the Vice-Presidents shall act for the President.

Art. 45. Every member of the Chamber of Deputies has the right to propose the enactment of a draft law, except in what concerns the financial matters referred to hereinafter, provided that he has the support of ten of his colleagues. If such proposal is accepted by the Chamber, it shall be sent to the Council of Ministers, in order that a draft law may be prepared. Any proposal which is rejected by the Chamber may not be reintroduced during the same session.

Art. 46. *(as amended October 27, 1943)*. A deputy may resign his seat by presenting his resignation in writing to the President, but the resignation shall be of no effect until it is accepted by the Chamber of Deputies.

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Art. 47 *(as amended October 27, 1943).* If a seat in the Chamber of Deputies becomes vacant by reason of death, resignation, loss of legal qualification, or absence, a new election must be held forthwith, at the request of the President.

Art. 48 *(as amended October 27, 1943).* A deputy is deemed to represent the whole of Iraq and not merely his own electoral district.

Art. 49. A member absent from the Chamber without leave or without just cause for a period of one month is considered to have resigned, subject to the terms of Art. 46.

Art. 50 *(as amended October 27, 1943).*

1) A deputy will receive, in addition to travelling allowance, a monthly allowance of forty Dinars during the whole period of his membership.

2) If the Chamber is dissolved on the first day of December or thereafter, the deputy shall receive his allowance for the remaining months of the sessional year, up to the end of November in such year.

Art. 51 *(as amended October 27, 1943).* Senators and deputies, before entering on their duties, shall individually swear an oath, before the Assemblies to which they belong, that they will be loyal to the King, preserve the Constitution, serve the nation and fatherland, and perform their duties diligently.

Art. 52 *(as amended October 27, 1943).*

1) The Senate shall not begin business unless more than one half of the members actually appointed are present.

2) The Chamber of Deputies shall not begin business unless more than half of the members actually elected are present.

Art. 53. Decisions shall be taken by a majority of votes of the members present, unless otherwise provided by this law. If the voting is equal, the President shall have a casting vote. No majority shall be obtained unless half the members present cast their vote. Each member shall vote in person. The method of voting shall be prescribed in the Internal Regulations of the Assembly.

Art. 54. Every member of Parliament has the right to put questions and demand explanations from Ministers. Discussions arising therefrom and from answers given in reply thereto shall be carried

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642 646 on in the manner prescribed by the Internal Regulations of each Assembly, provided that such discussion shall not take place until eight days at least have elapsed from the day on which such questions or demands for explanations were put. This procedure may be departed from in urgent cases or by consent of the Minister.

Art. 55 *(as amended October 27, 1943)*. An Assembly will pass its decisions on draft laws article by article and then as a whole, but it may resolve that it is enough to decide on the draft as a whole only, in which case the members shall have the right to discuss the articles.

Art. 56. No armed force may enter the Assembly or remain near its precincts, unless requested to do so by the President.

Art. 57. The meetings of both Assemblies shall be open to the public. At the request, however, of one of the Ministers, or four of the Senators, or ten of the Deputies, the debate on the question under discussion shall be conducted *in camera*.

Art. 58. No person may enter either Assembly and speak therein except members, Ministers or high officials deputed by Ministers during their absence, or persons invited so to do by the Assembly.

Art. 59. The Senate and the Chamber of Deputies shall have the right of issuing rules and regulations concerning the following matters:

1) The manner of exercising and maintaining the powers, privileges and safeguards conferred upon the Assembly by this law.

2) The transaction of the business of both Assemblies and the conduct of debates, whether sitting separately or jointly.

Art. 60. *(as amended October 27, 1943)*.

1) Every member has complete freedom of speech subject to the Internal Regulations of the Assembly to which he belongs. No legal proceedings shall be taken against him on account of any vote which he gives or any opinion which he expresses, or any speech which he makes in the course of the deliberations and discussions of the Assembly.

2) A member of Parliament shall not be arrested or tried unless the Assembly to which he belongs resolves, by majority, that sufficient grounds exist for his being charged, or unless he is arrested, *flagrante delicto*, for a crime. If a member is arrested for any reason while Parliament is in recess the Government shall so inform the Assembly when it meets, furnishing explanations and reasons.

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Art. 61. A Minister who is a member of either the Senate or Chamber of Deputies shall have the right of voting in the Assembly of which he is a member and the right of speaking in both Assemblies. Ministers who are not members of either Assembly shall have the right of speaking in both, but not of voting. Ministers, or persons representing them in their absence, shall have the right of precedence over other members in addressing the Assemblies.

Art. 62. *(as amended October 27, 1943).*

1) Draft laws will be submitted to one of the Assemblies and, if accepted, will be submitted to the other Assembly. They shall not become law unless accepted by both Assemblies and confirmed by the King.

2) If a draft law is submitted to one Assembly and the Prime Minister, or one of the Ministers mentioned in the draft, demands a joint session, and the Senate approves the demand, then the Assemblies shall meet under the presidency of the President of the Senate. The decision as to the draft shall be by a two-thirds majority of the joint assembly, but the draft shall not become law until the King has confirmed it.

3) Both Chambers shall decide on drafts submitted to them by the Government. After acceptance the drafts will be presented to the King, who will either confirm them or return them for reconsideration with a statement of reasons therefor, within a period of three months, provided that if either of the Assemblies resolves that a draft is urgent then it must be confirmed, or returned for reconsideration, within fifteen days, with a statement of reasons therefor. Drafts not returned within the prescribed period shall be regarded as confirmed.

4) Draft laws rejected by both Assemblies shall not be introduced again into either Assembly during the Session.

Art. 63. In the event of one of the Assemblies rejecting a draft law twice, and the other Assembly insisting upon its acceptance, a joint meeting of the members of the Senate and Chamber of Deputies shall be held, presided over by the President of the Senate, with the object of discussing the articles regarding which a divergence of opinion exists. If the draft law is accepted, with or without amendment, by a majority composed of two-thirds of the members of the

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642 joint meeting, such draft law shall be considered to have been passed
646 by both Assemblies, but shall not become law until it has been confirmed by the King. If not passed in this manner, such draft law shall not be reintroduced into either Assembly during the current session.

PART IV

THE COUNCIL OF MINISTERS

642 Art. 64 *(as amended October 27, 1943).*
645 1) The number of Ministers shall not be less than seven, including the Prime Minister. No person shall be a Minister who is under any disqualification described in Article 30.

A Minister who is not a member of either Assembly shall not remain in office longer than six months unless he is appointed a senator or elected a deputy before the end of that period. A Minister who receives the salary of a minister shall not, at the same time, receive the membership allowance in either Assembly. A Minister shall not buy or lease any of the property or possessions of the State.

2) Deputy Ministers may be appointed provided that they must be members of Parliament.

3) In case of necessity the King may appoint Ministers without portfolio, in order to obtain the benefit of their experience and talents.

Art. 65 *(as amended October 27, 1943).* The Council of Ministers will undertake the direction of the affairs of the State. It will meet, under the presidency of the Prime Minister, to decide the measures to be taken in matters which concern more than one Ministry and in all important matters which concern the Ministries. The Prime Minister will submit the decisions of the Council to the King, for his confirmation.

Art. 66. Ministers of State shall be jointly responsible to the Chamber of Deputies for affairs dealt with by the various Ministries and responsible severally for acts relating to each of the Ministries and Departments attached thereto. Should the Chamber of Deputies pass a vote of no confidence in the Cabinet by a majority of members present, the Cabinet must resign. If the resolution in question relates to one Minister only, such Minister must resign.

At the request of the Prime Minister or of the Minister concerned, the Chamber shall, once only, postpone a vote of no confi-

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IRAQ ELECTORAL LAW OF MAY 27, 1946[1]
LAW NO. 11 OF 1946

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666 With the approval of the Senate and the Chamber of Deputies, we hereby order the promulgation of the following Law:—

Chapter I—Qualifications and Establishments

Art. 1. Primary Elector: shall mean any person entitled to elect Secondary Electors.

Secondary Elector: shall mean any person entitled to elect Deputies.

Art. 2. Every male Iraqi who has completed his twentieth year and whose name is entered in the electoral registers as prescribed in Chapter II shall be considered a primary elector, excluding any male person who:—

Firstly: has been judged bankrupt and has not been legally rehabilitated.

Secondly: has had an order of inhibition passed against him by a Court which has not been released.

Thirdly: has been sentenced to imprisonment for a term not less than one year on account of a crime other than political, or has been sentenced to imprisonment on account of theft or bribery or any other crime absolutely affecting his honour, unless his forfeited rights are restored to him.

Fourthly: is a lunatic or is mentally defective.

Art. 3. Any person possessing the qualifications of a primary elector may be a secondary elector.

Art. 4. He shall not become a deputy:

(1) Who is not an Iraqi having acquired his Iraqi nationality by birth, or under the Treaty of Lausanne,[2] or by naturalization, provided that a naturalized person should belong to an Ottoman family which habitually resided in Iraq before 1914 and that 10 years should have elapsed over his naturalization.

[1] Arabic text in *Waqayi' al 'Iraqiya*, Baghdad, no. 2377, June 8, 1946. English translation taken *textually* from *Iraq Government Gazette*, Baghdad, January 5, 1947.

[2] See Turkey, Note on Treaties, p. 503 below.

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(2) Who is below his thirtieth year of age.

(3) Who has been judged bankrupt and has not been legally rehabilitated. 646 666

(4) Who has had an order of inhibition passed by a Court against him which has not been released.

(5) Who has been sentenced to imprisonment for a term not less than one year on account of a crime other than political, or has been sentenced to imprisonment on account of theft, bribery, breach of trust, forgery, fraud, or any other crime absolutely affecting his honour.

(6) Who holds a post or an appointment or is in the service of a person or an establishment under contract with a public department, or has any material interest, direct or indirect, with such contractor, unless such interest arises through his being a shareholder in a company composed of more than 25 persons, excepting lessees of Government lands and property.

(7) Who is a lunatic or is mentally defective.

(8) Who is related to the King up to the fifth degree.

Art. 5. (1). Electoral circles shall be set up in Qadhas on the basis of the number of males registered in census registers, and every Qadha containing a number of registered males not less than 15,000 and not exceeding 70,000 shall be considered an Electoral circle, provided that it shall be permissible to detach a part of such Quadha for the purpose of enforcing paragraph 2 of this article.

(2) If a Qadha contains less than 15,000 registered males, such a Qadha shall be amalgamated with a neighbouring Qadha to form an electoral circle containing a number of registered males not less than 20,000 and not exceeding 70,000. A Qadha may also be amalgamated with a part of a neighbouring Qadha for this purpose, provided that the number of the remaining registered males in the neighbouring Qadha is not less than 20,000.

(3) If the number of registered males exceeds 70,000 in a Qadha or a remaining part after the detachment of a part thereof for the purpose of the enforcement of paragraph 2 of this article, it shall be divided into 2 or more electoral circles each containing a number of registered males not less than 20,000 and not exceeding 70,000.

(4) If the number of registered males in an electoral circle does

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646 not exceed 30,000, one deputy shall be elected therein, if it exceeds
666 30,000 two deputies shall be elected, and if it exceeds 50,000 three deputies shall be elected.

(5) Every Nahiya or Mahallat shall be an Election Section, provided that it shall be permissible to join certain Mahallas in one section by a decision of the committee of inspection appointed under this Law. Should differences arise over the boundary of a section, the committee in question shall give a final decision thereon.

Art. 6. (1) The Minister of Interior should produce authenticated lists from the Directorate General of Census containing the number of registered males in every Qadha, Nahiya and Mahallat, and submit such lists to the President of the Chamber of Deputies, within *one month* from the date of the coming into force of this Law, together with his views concerning the manner of the enforcement of paragraphs 2 and 3 of Article 5 in such way as to ensure that the total number of deputies shall, as far as possible, be at the rate of one deputy to every 20,000 registered males in Iraq.

(2) The President of the Chamber of Deputies should pass the lists, together with the views of the Minister, to the Home Affairs Committee at the Chamber of Deputies, which after perusing the Minister's views, should draft the list of electoral circles and the number of deputies who should be elected in each circle.

(3) The President of the Chamber of Deputies should submit to the Chamber the list approved by the Committee and the Chamber should give a final decision thereon and publish it.

Art. 7. (1) The list will be reconsidered every fourth year in accordance with the procedures indicated herein above. It is, however, not permissible to issue a decision approving a new list except after the lapse of four years over the date of approval of the existing list.

(2) If the new list necessitates the addition of a number of seats in the Chamber, elections for such seats should be carried out immediately.

(3) If the new list necessitates the abolition of a number of seats in the Chamber, a deputy does not relinquish his appointment immediately but retains it until the termination of his membership, as indicated in the Organic Law.

Art. 8. (a) Should it be necessary to carry out elections before

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the publication of the first list proposed in accordance with Article 6 above, elections will be carried out on the basis of an interim list to be prepared by the Minister of Interior and approved by the Council of Ministers, and such list will be put into application until the publication of the former list.

(b) Until such time as a general census registration is carried out, election will be effected on the basis of the former electoral lists, subject to consideration being given to the alterations effected therein.

Art. 9. The Jewish and Christian minorities shall have the following number of deputies:—

	Jews	*Christians*
In the Qadha of Baghdad Liwa Hqrs.	3	2
In the Qadha of Basrah Liwa Hqrs.	2	1
In the Qadha of Mosul Liwa Hqrs.	1	3

This number shall be in addition to the number determined in Articles 5 and 6 which should be elected from the majority in proportion to the total number of males registered in the above-mentioned administrative units.

Art. 10. Secondary electors shall be elected at the rate of one secondary elector to every one hundred primary electors, on condition that a fraction of a hundred shall be dropped unless it exceeds 70.

Art. 11. All obligations coming within the competence of a judge in this Law shall be carried out by the Judge of the Civil Court found in the Electoral circle. If more than one judge existed in the court, the President of the Court of Cassation shall appoint one of its judges. In case no civil court exists in an electoral circle, the President of the Court of Cassation shall appoint a judge to carry out these obligations in the headquarters of the electoral circle.

Art. 12, All obligations imposed upon an administrative official in this law shall be carried out by the Qaimmaqam in a Qadha forming an electoral circle or by the Mutasarrif if the Qadha was a Liwa headquarters. If, however, the electoral circle had no Qadha headquarters, the Minister of Interior will determine the circle's headquarters and the administrative official. In regard to sections which are smaller than Nahiyas and sub-sections, administrative officials should determine headquarters therefor.

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646 666 Art. 13. (1) The Committee of Inspection in each electoral circle shall be composed of seven members in a circle of one deputy, 11 members in a circle of two deputies, and of 15 members in a circle of three deputies.

(2) When the election of a Committee of Inspection is announced the body of eldermen in each Mahallat of an electoral circle Headquarters should elect five individuals from among the residents of the Mahallat. Individuals elected from each Mahallat should meet to elect the Committee of Inspection by secret ballot. After the election of the Committee, its members should elect a President from among themselves by secret ballot.

(3) The judge should issue an invitation for the meeting in question and should attend it to control the proper carrying out of election of the Committee of Inspection and its president.

CHAPTER II.—PREPARATION OF LISTS OF PRIMARY ELECTIONS

Art. 14. If the Chamber of Deputies is dissolved or its term expires, the administrative official should immediately announce the necessity of the preparation of lists of primary electors, upon which the notables in each Mahallat or village should elect from among themselves three individuals who should meet with the Mukhtar or such person replacing him to prepare the lists. This operation should be completed within ten days.

Art. 15. The lists will contain (the names of) every male who has completed his twentieth year of age whose name is entered in the census Register. If any person who is disqualified to be a primary elector, under Article 2 of this Law, a note to that effect should be entered against his name, indication being made of official documents to this effect, if available.

Art. 16. Two copies of the Lists shall be forwarded to the Mudir of the Nahiya. In the headquarters of Qadhas and Liwas, these shall be forwarded to the administrative official. The lists so received shall be amalgamated and entered in one single register for every electoral section, two copies of such register being forwarded to the administrative official and one copy to the Committee of Inspection.

Art. 17. The Committee of Inspection shall check the registers

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received by it and ascertain that they are prepared in accordance with the instructions issued for the purpose and are free from omission, errors, fraud and forgery. For the purpose of ascertaining facts, it may, when necessary, summon before it any person from the nearby localities whom it may desire to summon or send some of its members to the villages. It should complete this checking within 15 days.

Art. 18. On completion of the checking and correction, the Committee of Inspection shall return to each section one copy of its register, the other copy being retained by it, and shall draw up a document embodying the number of primary electors in each electoral section and the total number of primary electors in the electoral circle and forward it to the administrative official.

Art. 19. Upon receipt of the correct registers at the electoral section, the Mudirs of Nahiyas or the administrative officials, as the case may be, shall enter the necessary corrections in the lists of villages or Mahallas and shall return them to the Mukhtars. The corrected registers shall be posted in the headquarters of electoral sections, while the corrected lists will be posted for 7 days in suitable places in the Mahallas and villages for the inhabitants to inspect their contents, the act that the registers and lists have been so posted shall be announced by such means as may be available.

Art. 20. (1) Any person may, within the above-mentioned period of 7 days, object to the undue registration of any name or to the omission of any name which should have been registered. Such objection shall be made unstamped to the Committee of Inspection, who should examine it within 3 days at most and notify the objector of its decision taken by a majority of votes embodying the reason therefor. If the objection is upheld, the registers shall be corrected accordingly, and if rejected the objector may, if he is not satisfied, bring the case before the judge by submitting an unstamped application within 3 days from the date of serving at him of the committee's decision, and if the judge decide to uphold the objection, the registers shall be corrected. After the expiry of the above-mentioned period his objection shall not be entertained and the judge should give his decision within 3 days which should be final, and no fee whatever shall be collected from the applicant.

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666 (2) After the expiry of seven days, the lists which have been posted shall be removed and no further objection shall be heard.

Art. 21. The lists, registers and documents mentioned herein above should be revised every year and corrected in accordance with the procedures laid down in the preceding articles, provided that the work of revision and correction in the electoral sections shall be completed before the end of January in each year.

CHAPTER III.—ELECTION OF SECONDARY ELECTORS

Art. 22. (1) The elections shall be held at the headquarters of each electoral section, on the date fixed by the Committee of Inspection, under the supervision of a committee known as the "Electoral Committee" composed of five individuals selected by the Committee of Inspection from among those possessing the qualifications of a secondary elector at the headquarters of the sections, and the presidency of a member of the Committee of Inspection selected by this Committee by drawing lots.

(2) With a view to facilitating the conduct of elections a large section may be divided into several sections and different days may also be fixed for the carrying out of elections.

(3) The Committee of Inspection should fix the days mentioned herein above in such a manner as to ensure the completion of elections at least thirty days before the date fixed for the election of deputies under Article 24.

Art. 23. The voting papers shall be prepared and sealed by the Committee of Inspection. The number forwarded to electoral sections shall be equal to the number of primary electors registered therein.

Art. 24. The voting boxes shall be such size and shape as may be prescribed by the Committee of Inspection. Each box shall have in its top an oblong aperture large enough to receive a folded voting paper and shall have different locks not capable of being opened by the same key.

Art. 25. The member of the Committee of Inspection presiding over the Electoral Committee should arrive at the headquarters of the electoral section sufficiently before the date fixed for the election, taking with him the voting box and the voting papers belonging to that section. On his arrival there, he will invite the Electoral Com-

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mittee to hold a meeting and announce the day, hour and place of election in his section. The committee shall explain to all the primary electors, by such means as may be possible, the purpose of the election and the manner of conducting it, as laid down in this law. 646 666

Art. 26. On the day fixed for voting the electoral committee shall assemble at the appointed place and shall call the electors of the villages and Mahallas at the time assigned to them. The voting box shall be opened and shown to be empty and then locked, one key being kept with the President of the Electoral Committee and the other with the eldest member of the Committee. Each elector shall receive a voting paper on which he shall write the names and surnames of those he desires to elect according to the proportion prescribed in Article 10 of this Law. An elector who cannot write may depute some other person to write for him. If more names than the correct number are written, the names first written up to the correct number shall be accepted and the remainder disregarded. If the same name be written more than once, it shall be reckoned once only. Illegible and ambiguous names shall be disregarded.

Art. 27. A sufficient period being allowed after the distribution of the voting papers, they should be collected from the electors present, beginning with the members of the committee if they are entitled to vote in that section. The clerk of the committee shall ask every elector who presents his voting paper to state his name, surname and domicile, and if this statement is verbally confirmed by the Mukhtar, the clerk shall make a vote[1] against his name in the register and he shall be allowed to cast his voting paper in the box. The Electoral Committee should watch the electors lest some of them should cast into the box more than one paper.

Art. 28. When the electors of a village or Mahallat have cast their voting papers in the box, the mukhtar shall announce that the electors of that village or Mahallat have voted. The clerk shall then write on the list of the electors the number of those who attended and those who did not attend. The list shall then be signed by the President and members of the Electoral Committee. This process shall be repeated in the elections of each village and Mahallat.

Art. 29. (1) If a person produces a voting paper on the conclusion of election in his village or Mahallat and the withdrawal of its electors, he shall not be allowed to cast his voting paper.

[1] Mark.—Ed.

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646 666 (2) Voting by *wakala*[1] shall not be allowed, and no one may forward his voting paper though he may have an excuse.

(3) If by the evening the voting remains incompleted, the Electoral Committee shall paste a piece of paper over the aperture of the box and fasten it with a string. This string shall then be sealed on both sides with the seals of all the members, if possible, who shall also seal the locks. The box shall then be kept in a safe place appointed by the Committee and special care shall be taken in guarding it. On the following day, the seals shall be removed after it has been ascertained that they were not tampered with, and the casting of voting papers shall be resumed.

Art. 30. After all the electors have cast their voting papers, the box shall be opened in the presence of the President of the Committee and not less than three of its members. The papers shall be counted and replaced in the box without being read and a statement shall be forthwith drawn up showing the number of electors who have voted in that section and the number of papers found in the box.

Art. 31. Any paper not bearing the seal of the Committee of Inspection shall be considered as *batila*.[2] If it is discovered that the number of papers in the box exceeds the number of electors, and if such increase is more than 10 per cent, the election shall be considered as null and void and shall be repeated. If, however, the increase does not exceed 10 per cent, the voting operation will be resumed after a number of papers equal to that found in excess are removed from the box and cancelled.

Art. 32. (1) After the papers have been counted, the names written thereon shall be recorded as follows:

The names shall be read out and shall be written on a sheet of paper, and as each name is read out, the figure (1) shall be marked against it. In order that the box may not be left open so many papers should be taken out as can be dealt with during the day and the box shall be locked, fastened with a string and sealed on both sides of the string and on the aperture with the seals of all the members of the Committee present. It shall then be kept in a secure place, the door of which shall be likewise sealed. Every evening the papers which have been sorted shall be placed in a bag which shall be sealed and a statement shall be drawn showing the number of votes won by each of the secondary electors.

[1] Proxy.—Ed.
[2] Null and void.—Ed.

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(2) After all the papers have been sorted, the Electoral Committee shall give to each person who has won a majority of votes a document to the effect that he is a secondary elector. The Committee will draw up a statement of the result of the election which shall be signed by the President and all members of the Electors Committee. The President should submit this statement to the Committee of Inspection.

(3) If for any reason the place of a secondary elector falls vacant, his place shall be filled by the winner of the next largest number of votes.

Art. 33. On receipt of the statements mentioned in the preceding article, the Committee of Inspection shall enter the names of all secondary electors in a special register for each section separately. Such register will remain valid until the dissolution of the Chamber of Deputies for the termination of its term.

Chapter IV.—Election of Deputies

Art. 34. Subject to the provisions of Article 44, general elections in all electoral circles will be carried out on the same day appointed by the Minister of Interior. This day will be appointed by such means of publicity as may be available within a period not less than forty days before the prescribed date.

Art. 35—Elections will be carried out on the basis of candidature. Any person who desires to nominate himself as a deputy for an electoral circle should submit an application to this effect to the administrative official of such circle. The application should be written on a special form embodying a declaration, which should be signed by the candidate, to the effect that he possesses the qualifications of a deputy mentioned in Article 4 of this law. This application should be received in a period not less than 20 days before the date appointed for elections. The administrative official should, on receipt of the application, register it against a receipt.

Art. 36. No person may nominate himself for more than 3 electoral circles, except as provided for in Article 47.

Art. 37. A candidate should deposit with the Qadha Treasury a sum of ID. 100. This sum will be credited as revenue to the Qadha municipality if the candidate does not obtain 10 per cent of the votes of the circle.

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666 646 Art 38. (1) The administrative official should forward all applications together with the documents of candidature to the Committee of Inspection on the day following the termination of the period prescribed for the submission of the applications for candidature. The committee should examine these documents in order to ascertain that the preceding articles of this chapter have been fully complied with and will furnish the administrative official with its views as to whether or not the documents were correct, stating the reasons if it considered that the documents were incorrect.

(2) The administrative official should submit to the judge immediately any application which the committee considered as being incorrect, and the judge should give an urgent and final decision in the matter and transmit his decision to the administrative official within a period not less than 15 days before the date prescribed for the carrying out of election.

(3) If the committee has any doubt as to the qualifications of a candidate in accordance with Article 4 of this law, it should state its objection on the document and the administrative official should comply therewith in accordance with Article 46 (4) of this Law.

Art. 39. (1) The administrative official should post the names of candidates whose applications are found to be correct in a public place in the headquarters of the electoral circle as early as possible after the examination, provided that this should not be less than 10 days before the date prescribed for the elections. The names should also be announced to the public through the official and other possible means.

(2) The administrative official will enforce the procedure outlined in Article 47 with regard to the announcement of the names of Christian and Jewish candidates.

Art. 40. All candidates shall be deemed as elected *tazkiyah* if their number do not exceed the number of deputies who should be elected in the electoral circle. In such an event, no voting shall take place and the administrative official should state the fact on announcing the names of candidates, otherwise voting shall be carried out according to the following articles.

Art. 41. (1) On the date and the hour fixed by the Committee of Inspection, the secondary electors should present themselves at the place of elections and shall be given voting papers sealed with

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the seal of the committee and indicating the number of deputies to be elected and the names of candidates, provided that the names shall be written serially as prescribed by the committee by drawing lots. This serial will be adopted in all voting papers.

(2) The provisions of Article 47 (3) shall be enforced with regard to the manner of distribution of the list of candidates in the circumstances indicated therein.

(3) The judge should attend the meeting to supervise the progress of the election.

Art. 42. The voting box shall be placed on a table in front of the Committee of Inspection and the judge. It shall be opened before the voting papers are dropped into it in order that those present should be assured that it is empty. It shall then be closed and a sheet of paper sealed by the Committee of Inspection and three of the secondary electors shall be fastened upon the lock.

Art. 43. (1) The Committee of Inspection shall call up the secondary electors one after another for voting in the order in which their names are registered. The dropping of papers into the box should be watched lest an elector should place more than one paper. No person shall vote unless his document shall have been checked by the Committee of Inspection either before or at the time of voting.

(2) Each elector shall give his vote by writing the names of those candidates whom he wishes to elect on the voting paper.

(3) The procedure adopted in Article 26 shall be enforced with regard to the names in excess of the determined number or names which have been repeated.

Art. 44. (1) If the number of secondary electors who give their votes is not less than 60 per cent of their total number, the Committee of Inspection should announce that the voting operation has been completed. If their number is, however, less than 60 per cent the committee should decide the adjournment of completion of voting to another day which should be announced by such means as may be possible. A sheet of paper shall be on the aperture of the box and shall be sealed by the Committee of Inspection before it is removed from the place of meeting.

(2) The voting operation shall be completed on the adjourned day irrespective of the number of votes.

Art. 45. (1) The Committee of Inspection shall open the box

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646 after the completion of voting. No voting paper shall be dropped
666 in it after it has been opened.

(2) After the box has been opened, the papers shall be counted and read publicly, and all the names of all candidates shall be written down. As each name is read out the figure (1) shall be marked against it until all the papers have been read. The votes gained by each candidate shall be counted, and a statement showing in figures and words, the number of votes gained by each shall be drawn up and transmitted to the administrative official.

Art. 46. (1) On the same day or the following day, the President of the Committee of Inspection should announce the result of the election in the presence of the administrative official, the judge, the candidates present and others.

(2) The candidates who obtain a majority of votes shall become deputies. In the case of equality of votes, the Committee of Inspection shall decide the matter by drawing lots.

(3) A statement shall be prepared signed by the judge, the administrative official and the Committee of Inspection showing the result of election. A copy of this statement shall be given to each one who has been elected to be a deputy and copies shall be sent to the Ministry of Interior and the Presidency of the Chamber of Deputies.

(4) If the Committee of Inspection raises an objection against the qualification of a candidate as outlined in Article 38(3), the text of the objection should be written on copies of the statement to be given to the deputy and those to be sent to the Ministry of Interior and the Presidency of the Chamber of Deputies.

Art. 47. The election of Minorities in the administrative units outlined in Article 9 shall be carried out in the following manner:

(1) Every Christian or Jew who desires to nominate himself for election should submit an application of candidature, together with the documents to the administrative official in the electoral circle forming the headquarters of the unit concerned, and should not nominate himself in more than one administrative unit.

(2) After the checking of the applications and the documents of candidature, and before the announcement of names under Article 39, the administrative official should furnish the administrative officials of all the electoral circles in the unit with names of Jewish and Christian candidates of all the circles in question.

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(3) The list of candidates shall be divided into 3 parts in the voting papers in each electoral circle in the unit. The first part shall not contain the names of Christians and Jews. The second part shall contain the names of Jews, while the third part shall contain the names of Christians. The number of deputies to be elected shall be indicated at the top of each part of the list.

Chapter V.—Offences and Penalties

Art. 48. Any person who commits any of the following crimes shall be deemed as having offended against this law:

(1) Knowing, or having good reasons to believe that he is disqualified from being an elector, votes at an election.

(2) Knowingly votes under the name of another.

(3) Votes more than once in the same election.

(4) Knowingly inscribes or assists in the inscription of any name in an electoral list or register contrary to the provisions of this law.

(5) Knowingly omits, or causes to be omitted, any name from a list or register which ought to be inscribed therein.

(6) Uses violence or threats or fraud or influence for the purpose of *ta'thir*[1] the elections.

(7) Gives or promises any gift or advantage for the purpose of *ta'thir* the elections.

(8) Accepts or solicits such gift or advantage above-mentioned for himself or a primary elector.

(9) Being employed by a primary or secondary elector to write the names of the persons for whom he wishes to vote, knowingly writes the names of other persons.

(10) Distributions[2] the course of an election by the publication of false rumours or false allegation against the candidates for election.

And shall be punished with imprisonment not exceeding one year or with a fine not exceeding ID. 100, or by both imprisonment and fine, any one who commits one of the offences mentioned above.

All complaints in connection with interference on the part of Government officials with the elections shall be submitted to the Committee of Inspection who shall make the preliminary investigations and forward the charge sheets direct to the courts. If, however, the complaint is against the Committee of Inspection itself, it shall

[1] Influencing.—Ed.
[2] *Sic*; probably "disturbs."—Ed.

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646 666 be submitted direct to the courts, who will take the necessary legal proceedings against the officials.

Art. 49. Any person who refuses to give information concerning himself for the purpose of compiling electoral lists and registers shall be punished with a fine not exceeding ID. 5.

Art. 50. Whoever, with a view to affecting the result of an election, destroys or makes away with any voting box or any voting paper or any official document concerning the election, shall be punished by imprisonment not exceeding two years or with a fine not exceeding ID. 200, or by both imprisonment and fine.

Chapter VI.—Miscellaneous Provisions

Art. 51. (1) If a person is elected as deputy in more than one electoral circle, he should within 8 days from the date of his being informed, choose the circle which he wishes to represent. A new election will be carried out immediately in the circle relinquished by him.

(2) If an official is elected as deputy, he should relinquish his appointment within 8 days from the date of his being informed. This provision will also apply to officers actually serving in the armed forces.

Art. 52. Armed forces and the police shall not participate in the elections. This provision, however, does not prevent officers from nominating themselves to be elected as deputies.

Art. 53. No person shall be arrested for a debt due to the Government while proceeding to, returning from, or at a place of voting.

Art. 54. Mutasarrifs, Qaimmaqams, Mudirs of Nahiyas, judges, Commandants of Police or Military Commandants may not nominate themselves for election in the electoral circles within their competence.

Art. 55. This law shall come into force from the date of dissolution of the existing Chamber of Deputies or the termination of its term. Article 6, however, will come into force from the date of the publication of this Law in the Official Gazette.

Art. 56. The Ministers of the Interior and Justice are charged with the execution of this Law.

Made at Baghdad this 26th day of Jamadi al Thani, 1366, and the 27th day of May, 1946.